

# ENVIRONMENTAL HEARINGS OFFICE

## Pollution control Hearings Board (PCHB)

AP: Air Pollution  
WP: Water Pollution  
WR: Water Rights  
HW: Hazardous Waste  
OT: Other

## 2009 Appeals Filed for All Boards January - December 2009

Shorelines Hearings Board (SHB)  
Forest Practices Appeals Board (FPAB)  
Hydraulics Appeals Board (HAB)  
Environmental and Land Use Hearing Board (ELUHB)

2009	Pollution Control Hearings Board					PCHB	See Legend Above for Boards				All Boards	2009 YTD
	AP	WP	WR	HW	OT	Total	SHB	FPAB	HAB	ELUHB	Total	
January	4	1	2	1		8	2	1			11	11
February						0					0	
March						0					0	
April						0					0	
May						0					0	
June						0					0	
July						0					0	
August						0					0	
September						0					0	
October						0					0	
November						0					0	
December						0					0	
<b>TOTAL</b>	<b>4</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>8</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>11</b>

## JANUARY 2009 STATISTICS

### APPEAL ACTIVITY -- FILINGS AND CLOSINGS -- FOR JANUARY 2009

Active Appeals	Pollution Control Hearings Board					PCHB	See Legend Above for Boards				All Boards	2009 YTD
	AP	WP	WR	HW	OT	Total	SHB	FPAB	HAB	ELUHB	Total	
Active appeals as of 12/31/08	45	27	12	3		87	28	3			118	
Appeals filed 1/09	4	1	2	1		8	2	1			11	11
Appeals closed 1/09	3	3	1			7	6				13	13
Active appeals as of 1/31/09	46	25	13	4	0	88	24	4	0	0	116	

### Tracking Active Caseload

Active Cases as of 9/30/08

111

Active Cases as of 6/30/08

113

Active Cases as of 3/31/08

122

Active Cases as of 12/31/07

140

### FINAL ORDERS ISSUED IN JANUARY 2009

DISPOSITIVE	Pollution Control Hearings Board					PCHB	See Legend Above for Boards				All Boards	2009 YTD
	AP	WP	WR	HW	OT	Totals	SHB	FPAB	HAB	ELUHB	Total	
Agreed Dismissals	3	1	1	0	0	5	1	0	0	0	6	6
Mediated Settlements	0	0	0	0	0	0	0	0	0	0	0	0
Contested Dismissals	0	0	0	0	0	0	0	0	0	0	0	0
Decisions on Merits	0	2	0	0	0	2	5	0	0	0	7	7
Decisions on Summary Judgment	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTALS</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>13</b>	<b>13</b>

# ENVIRONMENTAL HEARINGS OFFICE

## NON-DISPOSITIVE ORDERS ISSUED IN JANUARY 2009

NON-DISPOSITIVE	Pollution Control Hearings Board					PCHB	See Legend Above for Boards				All Boards	2009 YTD
	AP	WP	WR	HW	QT	Totals	SHB	FPAB	HAB	ELUHB	Total	
Pre-Hearing	5	0	0	0	0	5	3	0	0	0	8	8
Misc. Orders	2	2	3	0	0	7	3	0	0	0	10	10
TOTALS	7	2	3	0	0	12	6	0	0	0	18	18

## MOTIONS FILED IN JANUARY 2009

Motions Filed	Pollution Control Hearings Board					PCHB	See Legend Above for Boards				All Boards	2009 YTD
	AP	WP	WR	HW	QT	Totals	SHB	FPAB	HAB	ELUHB	Total	
Dispositive	3	2	1			6	5				11	11
Non-Dispositive				1		1					1	1
TOTALS	3	2	1	1	0	7	5	0	0	0	12	12

## HEARINGS and OTHER ACTIVITIES IN JANUARY 2009

ACTIVITIES	Pollution Control Hearings Board					PCHB	See Legend Above for Boards				All Boards	2009 YTD
	AP	WP	WR	HW	QT	Totals	SHB	FPAB	HAB	ELUHB	Total	
Hearings:												
1 Day	1					1					1	1
2-3 Days						0					0	0
4-5 Days						0					0	0
6-10 Days						0					0	0
Actual Days in Hearing for Dec 2008:	1					1					1	1
Length of Decisions on Merits and Orders on Summary Judgment												
0 - 10 Pages						0					0	0
10 - 25 Pages						0	2				2	2
25 - 40 Pages		1				1					1	1
Over 40 Pages						0					0	0
Board Deliberations		3	2	1		6	2	1			9	9
All Conferences	22	1		2		25	13				38	38
Mediations Held		1	1			2					2	2
Procedural Assistance by AAJs	1	1				2	2				4	4
Procedural Assistance Time **	0.4	0.3				0.7	0.5				1.2	1.2
Superior Crt Appeals					1	1		1			2	2

\*\* Hours, or portions thereof.

Average number of months for PCHB appeals to be disposed of by Board hearings or motions:

7 mos.

(Based on cases closed over past 3 months)

Average number of months for SHB appeals to be disposed of by Board hearings or motions:

5.8 mos.

(Based on cases closed over past 12 months)

Percent of cases disposed of without going to hearing:

5%

# ENVIRONMENTAL HEARINGS OFFICE

## HISTORICAL APPEALS DATA

### Running Totals, by Month and Year, of Number of Appeals Filed

	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000
January				11	15	14	7	16	14	24	21	8	17
February					28	44	18	35	30	46	40	20	32
March					43	50	36	60	50	64	62	48	52
April					53	66	44	78	70	85	77	67	70
May					68	81	58	96	88	95	97	100	94
June					82	103	73	118	107	110	118	126	120
July					101	127	91	134	129	138	146	155	147
August					114	164	111	147	149	155	178	177	190
September					125	176	127	166	167	180	208	209	214
October					137	188	145	178	183	202	245	236	229
November					157	208	158	189	193	212	267	250	241
December					186	221	172	208	209	226	288	261	262
<b>TOTAL</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>186</b>	<b>221</b>	<b>172</b>	<b>208</b>	<b>209</b>	<b>226</b>	<b>288</b>	<b>261</b>	<b>262</b>

YEAR	PCHB	SHB	FPAB	HAB	ELUHB	Total
1970	42					42
1971	36	5				41
1972	173	44				217
1973	243	72				315
1974	278	61				339
1975	185	29	3			217
1976	175	39				214
1977	189	41				230
1978	269	51	2			322
1979	222	57	7			286
1980	235	49	1			285
1981	210	51	2			263
1982	212	54				266
1983	219	54				273
1984	343	64	1			408
1985	267	41	5			313
1986	233	62	2			297
1987	240	53	7			300
1988	194	61	7			262
1989	168	76	22	1		267
1990	239	93	27	3		362
1991	271	82	21	2		376
1992	241	58	32	4		335
1993	320	87	89	4		500
1994	283	76	41	2		402
1995	146	66	34	0		246
1996	295	58	43	2		398
1997	198	49	33	2		282

YEAR	PCHB	SHB	FPAB	HAB	ELUHB	Total
1998	278	66	37	0		381
1999	205	39	22	7		273
2000	189	37	29	7		262
2001	195	33	29	4		261
2002	228	31	27	2		288
2003	170	33	20	2	1	226
2004	166	25	15	3		209
2005	163	34	9	2		208
2006	125	39	6	1	1	172
2007	178	35	8	0	0	221
2008						
2009						
2010						
2011						
2012						
2013						
2014						
2015						
2016						
2017						
2018						
2019						
2020						
2021						
2022						
2023						
2024						
2025						

Active Cases as of 12/31/08
Active Cases as of 3/31/09
Active Cases as of 6/30/09
Active Cases as of 9/30/09

**Pollution control Hearings Board (PCHB)**

AP: Air Pollut

WP: Water Pollution

WR: Water Rights

HW: Hazardous Waste

OT: Other

**2008  
Appeals Filed for All Boards  
January - December 2008**

2008	Pollution Control Hearings Board					PCHB Total	See Legend Above Right for Full Name		
	AP	WP	WR	HW	OT		SHB	FPAB	HAB
January	7	4				11	4		
February	7	2	1		1	11	1	1	
March	11	1	1			13	2		
April	2	3			2	7	3		
May	7	2	2	1		12	3		
June	4	6				10	4		
July	4	6	3			13	5	1	
August	3	2	6			11	2		
September	5	3				8	3		
October	4	2	3			9	2	1	
November	9	6	1			16	4		
December	22	1		2		25	3	1	
<b>TOTAL</b>	<b>85</b>	<b>38</b>	<b>17</b>	<b>3</b>	<b>3</b>	<b>146</b>	<b>36</b>	<b>4</b>	<b>0</b>

**DECEMBER 2008 STATISTICS**

Shorelines Hearings Board (SHB)  
 Forest Practices Appeals Board (FPAB)  
 Hydraulics Appeals Board (HAB)  
 Environmental and Land Use Hearing  
 Board (ELUHB)

Number of Boards		
ELUHB	Total	2008 YTD
	15	15
	14	29
	15	44
	12	56
	15	71
	14	85
	19	104
	13	117
	11	128
	12	140
	20	160
	29	189
0	189	189